IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

MONDAY, THE 4TH JUNE 2007 / 14TH JYAISHTA 1929

WP(C).No. 29070 of 2005(I)

PETITIONER:

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1. NANDAKUMAR C., S/O.CHANDRASEKHARAN NAIR, AGED 35 YEARS, (RANK NO.510 IN PSC RANKED LIST FOR THE POST OF L.P.S.A/U.P.S.A. OF KOLLAM DIST.) RESIDING AT RADHA BHAVAN, PANAMPETTY, PORUVAZHY P.O., KOLLAM.

2. BIJU P.THOMAS, S/O.PETER THOMAS, AGED 35 YEARS, (RANK NO. 517 IN PSC RANKED LIST FOR THE POST OF L.P.S.A./U.P.S.A. OF KOLLAM DISTRICT), RESIDING AT KOCHUKAROTTU HOUSE, KARALIJUNCTION P.O., SASTHAMKOTTA, KOLLAM.

3. V. HARIKUMAR, S/O.VASUDEVAN PILLAI, AGED 35 YEARS, (RANK NO.509 IN PSC RANKED LIST FOR THE POST OF L.P.S.A/U.P.S.A. OF KOLLAM DIST.) RESIDING AT HARI VIHAR, NEELESWARAM P.O., KOTTARAKKARA, KOLLAM.

4. MARY RANI Z., (L.C. SUPPLIMENTARY RANK NO.3 IN PSC RANKED LIST FOR THE POST OF L.P.S.A/U.P.S.A. OF KOLLAM DISTRICT) RESIDING AT KOLLEZHATHU PADINJATTATHIL, KARALI JUNCTION P.O., KOLLAM.

BY ADV. SRI.C.UNNIKRISHNAN (KOLLAM)
SRI.S.HARIKRISHNAN

RESPONDENTS:

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1. THE SECRETARY TO GOVT. OF KERALA, DEPARTMENT OF GENERAL EDUCATION, SECRETARIAT, TRIVANDRUM.

2. THE DIRECTOR OF PUBLIC INSTRUCTIONS, TRIVANDRUM.

3. THE DEPUTY DIRECTOR OF EDUCATION, KOLLAM

4. THE DISTRICT OFFICER,
P.S.C. DISTRICT OFFICE, KOLLAM.

*5.MINIKUMARI.O.D., RESIDING AT
ARYA BHAVEN, PANAPPETTY, PORIVAZHI PO,
SASTHAMKOTTA, KOLLAM DISTRICT

BY SENIOR GOVERNMENT PLEADER SRI.T.T.MAHAMOOD
SMT.P.V.ASHA
SRI.P.C.SASIDHARAN, SC, KPSC

* ADDL.R5 IS IMPLEADED AS PER ORDER DATED 3.1.2006 IN I.A.18542/05.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 04/06/2007, ALONG WITH WPC NO. 31051 OF 2005 AND WPC NO. 34257 OF 2005 THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 29070 of 2005(I)

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1:	COPY OF THE RELEVANT PAGES OF THE RANKED LIST OF L.P/U.P.S.As IN KOLLAM DISTRICT PUBLISHED BY THE PSC VIDE PROCEEDINGS NO.469/2002/SS.SPL.
EXT.P2:	COPY OF G.O.(P) 317/05/G.EDN. DATED 17.8.2005 ISSUED BY THE 1ST RESPONDENT.
EXT.P3:	COPY OF THE INTERIM ORDER DATED 15.7.2003 IN W.P.(C).NO.22583/2003 ISSUED BY THIS HON'BLE COURT.
EXT.P4:	COPY OF THE FINAL JUDGMENT DATED 22.9.2003 IN W.P.(C).NO.22583/2003 ISSUED BY THIS HON'BLE COURT.
EXT.P5:	COPY OF THE FINAL JUDGMENT DATED 13.6.2005 IN W.P.(C).NO.8807/2005 ISSUED BY THIS HON'BLE COURT.
EXT.P6:	COPY OF THE NEWSPAPER INFORMATION INVITING DAILY WAGES TEACHERS IN VARIOUS SCHOOL OF KOLLAM DISTRICT DURING THE ACADEMIC YEAR 2005-2006.
EXT.P7:	COPY OF THE ORDER NO.A4.437/05 DATED 6.10.2005 ISSUED BY THE 3RD RESPONDENT.

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// TRUE COPY//

P.A. TO JUDGE.

A.K. BASHEER, J.

W.P.(C). NOS. 29070, 31051 & 34257 OF 2005

Dated this the 4th day of June, 2007

J U D G M E N T

Petitioners in these writ petitions were included in the ranked list prepared by the Kerala Public Service Commission for appointment to the post of Primary Department Teachers in Kollam District. It is the admitted position that the list had expired on December 10, 2005.

2. The primary contention raised by the petitioners is that the Department had not reported all the available vacancies. It is further contended that temporary hands and provisional hands were allowed to continue during the pendency of the list.

3. It is submitted by learned Government Pleader that the sanctioned strength of the category in question during 2005-06 was 2528 out of which, 1645 vacancies were available for direct recruitment. Against the said sanctioned quota of 1645, in fact 1952 candidates had been working. It means that there were excess candidates working under the Direct recruitment quota.

Having heard learned counsel for the parties, I am satisfied that these writ petitions need not be kept pending on the file of this Court any more, since admittedly, the ranked list has expired way back in December 2005.

The writ petitions are closed.

A.K. BASHEER, JUDGE

vps

A.K. BASHEER, JUDGE

OP NO.20954/00

JUDGMENT

1ST MARCH, 2007